

EXHIBIT A

POLITICS // TEXAS POLITICS

Accusations against AG Ken Paxton fueled by ties between two attorneys in Nate Paul case

Jay Root

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Texas Attorney General Ken Paxton has asked the Texas Supreme Court to order county elections officials to reject mail-in ballots for voters who fear exposure to COVID019. (Nick Wagner/The Austin American-Statesman/TNS)

Photo: Nick Wagner, MBR / TNS

The banker thought it was odd enough that a private lawyer out of Houston, calling himself a special prosecutor for the Texas attorney general, showed up at his Austin-area office last week with a subpoena for business records.

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Odder still was the identity of a second man who accompanied the special prosecutor. He introduced himself as the lawyer for World Class Capital. As it turned out, the subpoena from the attorney general's office sought records that related to that company and its wealthy founder, Nate Paul.

Neither man had a business card, but the prosecutor's name — Brandon Cammack — was in the subpoena. And the banker, who spoke to Hearst Newspapers on condition of anonymity, said he was able to identify Nate Paul's lawyer from his website: Michael J. Wynne, a criminal defense attorney who represents World Class Capital and its founder, Paul, now at the center of abuse-of-office allegations against Attorney General Ken Paxton.

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The cameo by Wynne at the scene of the subpoena delivery last week adds more fuel to the fire raging inside Paxton's office, where seven top aides went to federal law enforcement to denounce him for inexplicably working to help Paul, a friend and donor to his 2018 re-election campaign.

Paul and his businesses were raided by the FBI last year, and he has complained vociferously that he was treated unfairly and illegally by state and federal law enforcement. Those complaints reached Paxton's ear, and eventually led the attorney general to launch an investigation — all at his donor's urging — that is now in Cammack's hands.

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Paxton's aides have accused him of a number of crimes — from accepting bribes to misusing his public office — for the way he advocated for Paul, whose real estate empire is now wracked with legal troubles and bankruptcy proceedings.

That the supposedly independent attorney investigating Paul's complaints on behalf of Texas taxpayers served a subpoena with Paul's lawyer in tow is just the sort of conflict that outraged Paxton's aides about the entire case.

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“This office’s continued use of the criminal process, in a matter already determined to be without merit, to benefit the personal interests of Nate Paul, is unconscionable,” Paxton’s aides said in an email obtained by Hearst Newspapers on Thursday.

Cammack did not respond to questions from the Chronicle left in calls, texts and email messages. Wynne did not respond to questions about his presence alongside Cammack. But he said in a written statement that his client is facing “retaliatory and unfounded allegations aimed at impeding a fair investigation of his complaint.

“As a private citizen whose constitutional rights were egregiously violated, Mr. Paul reported the matters by filing a complaint with the appropriate authorities,” the statement continues. “The fact that a detailed complaint of government impropriety is met with such forceful resistance from those entrusted with investigating the matters underscores the serious problems within the system.”

Some legal experts say that allowing Paul’s attorney to tag along with Paxton’s hand-picked prosecutor flies in the face of Paxton’s stated goal for hiring him in the first place: that he needed an independent, outside lawyer to conduct an investigation that was being urged by Paul.

Houston defense attorney Rusty Hardin, a former Harris County assistant district attorney, said he knows and respects Wynne, who served as a state and federal prosecutor and has worked on high-profile criminal cases for almost 20 years. But he said a defense attorney shouldn’t be on hand for a subpoena delivery in which his client has an interest.

“That would be a conflict. You want to keep your distance from the people representing anybody with a vested interest in the case,” Hardin said. “It’s not a good idea to have somebody who’s either under investigation or representing somebody under investigation or somebody that wants you to investigate riding shotgun while you serve subpoenas.”

State Bar of Texas President Larry McDougal, though, said there are times when it makes sense for a defense lawyer to show up during the investigative process if he can help determine which records are being sought, particularly in complicated financial matters.

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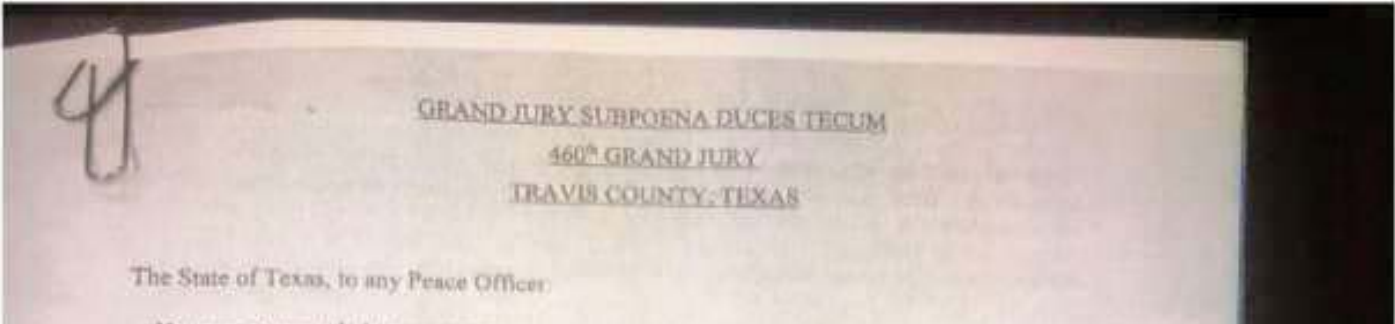
Not-so independent prosecutor

Paxton's office did not respond to emails requesting comment about the subpoenas — though a contract released by his office shows Cammack does not have prosecutorial powers or independence from the attorney general who hired him.

Hearst Newspapers obtained a copy of the subpoena that the bank executive said Cammack handed him, but the newspaper is redacting the name of the bank and its executive at the banker's request. At least one of the entities and one of the people mentioned in the subpoena tie back to deals or disputes involving Nate Paul's business interests.

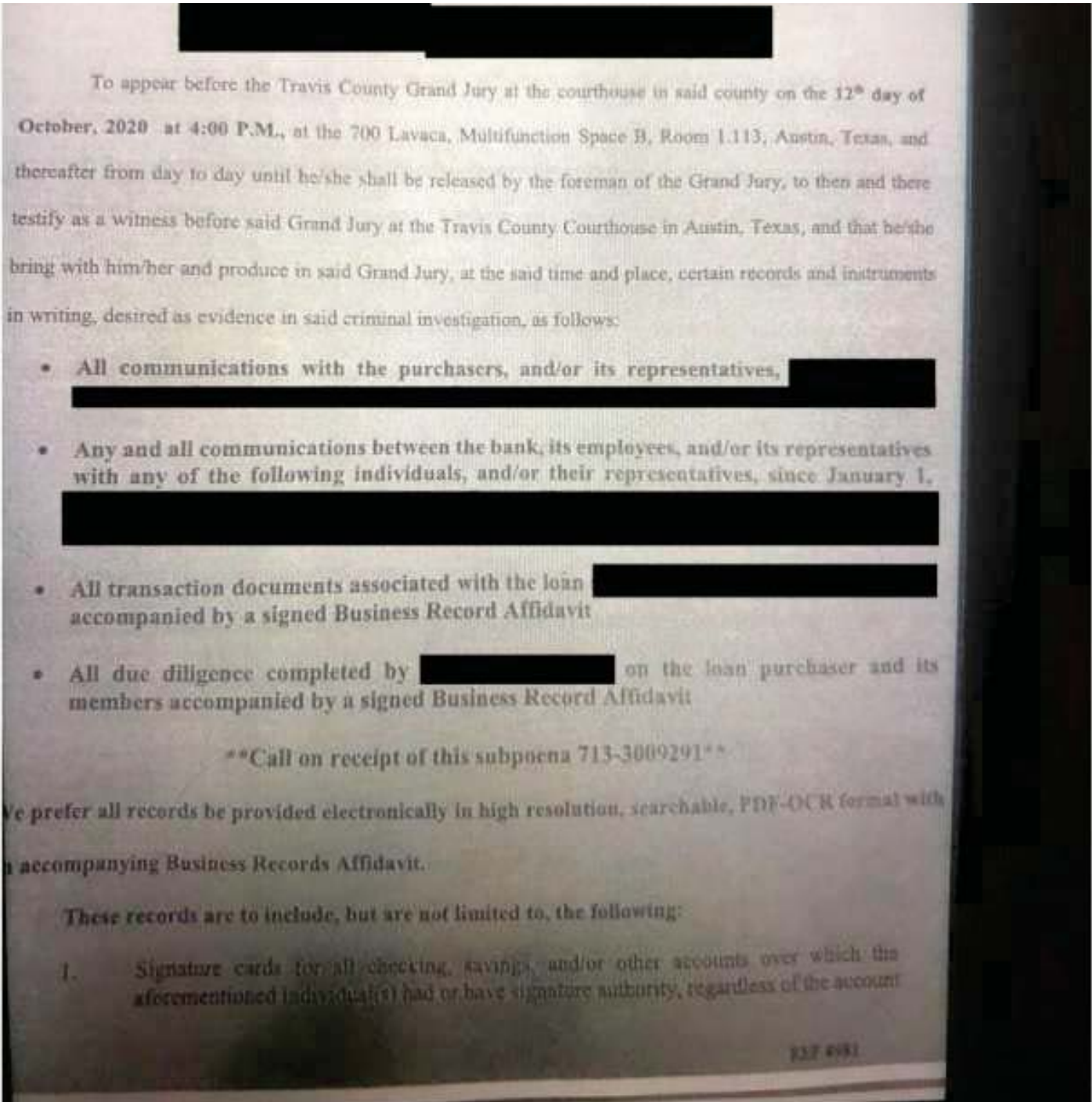
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A copy of the subpoena filed at an Austin bank, where sources say the attorney for the Attorney General's office showed up to serve the paperwork accompanied by the defense attorney for Austin real estate investor Nate Paul. Photo: COURTESY IMAGE

It is one of dozens of subpoenas obtained by Cammack as part of an investigation that Paul sought after he was raided by the FBI.

Cammack was brought on to review the allegations, which were included in a complaint Paul initially made to the office of Travis County District Attorney Margaret Moore in May.

While Paxton claimed he was merely acting on a referral from Moore, he played an instrumental role in it: Moore said it was Paxton who first brought the complaint to her office's attention, not the other way around.

The complaint is aimed at "allegations of misconduct by employees of" the State Securities Board, the FBI, the Texas Department of Public Safety, federal prosecutors from the Western District of Texas and a federal magistrate," records show. But at least two of the subpoenas have gone to financial institutions that did business with World Class Capital.

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happened last week. The CEO of another financial institution that got a visit from Cammack, Amplify Credit Union, said he was alone when the now defunct subpoena was dropped off.

Paxton, a Republican, was first elected attorney general in 2014 — while under felony indictment for securities fraud in a completely unrelated scandal that is still dragging on.

More ties between the two attorneys

Though the nature of the relationship between Cammack and Wynne remains unclear, the two have plenty of social and legal ties.

They both serve as officers of the Houston Bar Association, with Wynne as chair of the criminal law and procedure section and Cammack tapped as chair-elect. They're also set to appear together for a continuing legal education webinar — entitled “Criminal Justice in the Virtual Word: A Day in the Life,” later this month.

And out of more than a dozen people from the Downtown Rotary Club pictured in a photo Wynne posted on his Facebook page, he singled out Cammack as the person accompanying him on horseback for a parade held in conjunction with the Houston Livestock Show and Rodeo parade.

How Cammack got selected in the first place isn't clear.

In an interview with the Dallas Morning News, Cammack said Paxton called him in August to float the idea of becoming a special prosecutor and that the two had never spoken before. (Paxton had spoken Wynne at least once before, though — at that May meeting with the Travis DA's office to discuss Paul's complaint).

Though two of the subpoenas issued by Cammack say he's a “Special Prosecutor for the office of the Attorney General,” Paxton's office calls Cammack an “outside counsel” and his contract makes with no power to prosecute or even indict anyone.

The banker who said he got a visit from Cammack and Wynne said he was surprised to find out later that both were Houston criminal defense lawyers. They didn't linger after dropping

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“It was a pretty brief meeting,” he said. “It was a little awkward.”

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